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Law Intelligence.

NEWBURG, (N. Y.) OCT. 8.

Law Cases.—Two cases were tried at the late circuit in this county, before his honor Mr. Justice Platt, involving principles of much importance, and in which questions of law are raised for the decision of the supreme court, greatly interesting to many of our citizens. The first was *Prime against Hoe*—an action brought by a young woman for a breach of promise of marriage. The defendant, when he made the promise, was but 20 years old; he refused to fulfil his engagement, and, before he attained the age of 21, married another girl. He has no property of his own; but his father, with whom he still lives, is a farmer in easy circumstances. The defence set up was infamy; that the defendant was not bound by his promise, made whilst a minor. The judge overruled the objection, and decided that the action was sustainable on this class of promises against any person of or pasty to contract matrimony, which was at the age of 12 in females, and 14 in males. The jury found a verdict for the plaintiff of 1000 dollars damages.

The question of law, whether an action will lie on such contract, is taken up to the supreme court.

The other case was *Dorden against Fitch*. The mother prosecuted for seduction and loss of society, &c. of her daughter, by defendant's procuring a ceremony of marriage to be performed, falsely pretending himself to be a single man, when he had a wife then living. The defendant exhibited and proved a divorce from his former wife, granted by the supreme court of the state of Vermont, for desertion of him by his wife and other causes, and an exemplification of the statute of that state, authorising such divorces to be given. It was proved that his former wife was a native of Connecticut, and had always resided in that state, except for a short period that she had resided with the defendant in New York, and that he had never had any settled residence but in Connecticut and New York. The judge decided, that the divorce was obtained by the defendant in fraud of the marriage contract; that the parties not being both resident within the state of Vermont, the court of that state had no jurisdiction of the subject matter, and that the divorce being granted for causes not authorizing one by the laws of this state, was of no force in our courts. That accordingly afforded no justification to the defendant. He was a married man, and his second marriage fraudulent and void. It was proved that the plaintiff and her daughter knew nothing of the divorce until after the second marriage, and that the defendant had always represented his wife to be dead. The character and conduct of the defendant was proved to have discovered itself to be most atrocious and depraved. The jury retired a few minutes, and brought in a verdict for the plaintiff for 5000 dollars damages—the whole amount claimed in the declaration.

The counsel for the defendant, have taken the case to the supreme court for their opinion on the validity of the divorce; and, should that court decide against the defendant, avow their determination to remove the case to the supreme court of the U. States.

In Harrisburg, Pen. Wm. Pennock, a man previously of respectable character, was convicted of breaking open the Swatara Bank, and sentenced to restore the property stolen, to forfeit his estate, and be confined in the state prison four years. The trial commenced on a Saturday morning, was continued through Sunday, and the verdict was given about 9 o'clock on Sunday evening.

Literature, Science, Arts, &c.

FROM THE NATIONAL REGISTER.

Professions of the United States to Excellence in the Arts, &c.—It has so long been the practice of British writers to revile and depreciate every thing American, that we begin now to regard it with an eye of indifference or contempt. There was a time, however, when this plan of denigration was looked upon as a necessary thing to our advancement in learning and improvement, and as the lawful and salutary admonitions of a parent to her child, which it would be worse than irreverence to treat with indecency, or object to with warmth. The effect of such a system was, perhaps, for a while, to paralyze the exertions of the American intellect and genius; to render the mind nerveless and dispirited, and to cause every American production of art, science, or imagination, to be regarded as unworthy attention, in comparison with the vast and sublime productions of British talent and genius. But this was of short duration: the clouds of error are soon dispelled by the irradiations of truth; and comparison quickly enlarges the mind to acquire a knowledge of its powers and its superiority. The child who is taught to regard his rich companion as his superior, will continue to treat him as such, till a greater amount of mind or body enables him to see his error in the weakness or imbecility of his anta-

gonist. The charm which awed him to reverence is dissolved; the native independence of his mind towers above the trammels by which it had been confined and enchained; and his former superior sinks at once, in his estimation, to a condition of humble inferiority. The silly hypothesis of Bu Ton, Reynal, De Paw, and others, that the climate of the new world was unpropitious to genius and unfavorable to the progress of the human intellect, was for a long time regarded in Europe as indisputable and unanswerable. Laborious and tiresome inquiries, erroneously denominated philosophical, were constantly instituted into the cause of so singular a phenomenon, till Mr. Jefferson, in his Notes on Virginia, undertook the defence of the new world, and by the force of his arguments and the unanswerable nature of his examples and facts, compelled Reynal to renounce his absurd opinions and acknowledge the correctness and energy of his reasoning. The American revolution removed this error in every part of Europe but Britain; and the rapid advancement of the American republic to respectability and greatness, has opened the eyes of the world, and taught nations to respect and honor it for its magnanimity, its independence, its genius, and its information. Britain yet, however, continues to derogate from its reputation, and to disparage its fame. The editors of public journals, both political and literary, in that nation, still labour to undervalue and depreciate what over America can produce in the arts or the sciences. The opinions and dictatorial nonsense of these men, however, blinded by prejudice, or warped by interest, are not to be relied on as founded on the basis of truth. It is their business to revile and to abuse; they fatten on the spoils of reputation, and exist, like the vulture of Promethion, on the vitals of fame. Like their great prototype and master, Dr. Kenrick, they "*sip aqua vita and spit aqua fortis*;" they daub and besmear their own countrymen with the slime of detraction, and fasten on the reputation of a young author, like the slath upon the neck of a deer, till death terminates its miseries. No wonder, then, that we should not be suffered to escape.

The antipathy to this country which seems to exist on the part of Great Britain, is much to be lamented, as it blinds her to the excellencies which America really possesses, and often leads her writers to abuse and censure without discrimination, and without judgment. The United States need not be ashamed of their progress in the infancy, we have done wonders. America has produced men who, in the powers of genius and intellect, would not shrink from a comparison with some of the most illustrious names in Europe. Her Franklins, her Rittenhouses, and her Fultons, have been equalled by few, and perhaps surpassed by none in invention, research, and practical utility. In some of the useful arts we, though yet in our infancy, stand unrivalled. The perfection and excellence to which naval architecture has attained in this country seems to astonish and surprise the natives of the old world. Our vessels of war and of commerce are alike objects of admiration, and have become models for imitation to nations who had scarcely heard of our name, and to those, too, who have affected to despise and depreciate American genius. The Washington is a model of beauty; she has been gazed at by the British mariners in the Mediterranean with astonishment and wonder; and has excited equal admiration wherever she has been. In printing, also, we rival, if we do not excel, the presses of Europe. The great epic poem of Barlow is printed and engraved in a style that has drawn forth the eulogies of the Europeans themselves, disposed as they are to undervalue the productions of American taste and invention.

But this country has produced another specimen of art, which we do not hesitate to declare has not been surpassed by any Europe has ever exhibited. The Ornithology of Wilson is a work which, for splendour and accuracy of colouring, and delicacy and beauty of delineation, must stand deservedly high in the estimation of every man of taste, discernment, and feeling. Buffon and Catesby, whose coloured plates we have seen, are far inferior to Wilson in accuracy of outline, and richness and delicacy of colouring. This splendid work should be prized by every American, as a specimen of art which gives no little reputation to the taste of his country, and which, exerted, as it was, under all the oppressive horrors of poverty, exhibits to the world a model of excellence that may never be surpassed. While we pass these merited encomiums on this magnificent work of Mr. Wilson, we cannot but regret that our government should have suffered its author to languish for the want of patronage and encouragement. A salary of 2000 dollars a year would have enabled Mr. Wilson to prosecute his researches, and to indulge his favorite inclination in obtaining and describing the various ornithological productions of this country; while, at the same time, the American public would have been gratified by a complete delineation of all the feathered inhabitants of the United States. But such seems always to be the fate of genius. The man who, by his talents, his labour, and his research, was contributing to enhance the reputation of his country, was suffered to travel for days in the accomplishment of this magnificent object, often without a cent to save him from starvation. He is now no more. Perhaps his indigence and his exertions in the undertaking in which he was engaged, contributed to terminate the career of his usefulness, and bring him to the grave. But he has left behind him a monument, "*cere perennis*," that will never

perish, and that will transmit his name to posterity.

In the few desultory observations we have made, we think we have justified the pretension of this country to a character among the nations of the old world, for genius, intelligence, and taste; and we have no hesitation in believing, that whenever an unprejudiced comparison is made, the result will be perfectly favorable to the reputation of the United States.

Fine Arts.

NEW-YORK, OCT. 16.

Academy of the Arts.—On Saturday last arrived in this city those celebrated paintings of which, for some years past, have adorned the walls of the Philadelphia Academy. These paintings are intended to be added to the extensive collection now deposited in the apartments of the American Academy of this city. We are happy to learn that the public exhibition will probably take place early in the ensuing week, when our citizens will be gratified with a view of many of the most valuable productions of their distinguished countrymen West, Trumbull, Stewart, Alston, Leslie, and others. The Statuary belonging to this Academy, is known to be of superior value, and the directors of the institution merit the highest praise for their unwearied exertions in forming a united collection of Statuary and Painting, which in point of excellence is unrivalled in this country, and eminently calculated to diffuse a knowledge of the principles, and to spread a taste for the practice of the fine arts.

Religion.

Extracts from the Eleventh Report of the British and Foreign Bible Society.

At the last annual meeting, the members of the British and Foreign Bible Society were encouraged to indulge the pleasing hope, that the pacification of Europe which then happily prevailed, would lead to a more extensive adoption of the principle of their Institution; and your committee, in reporting their proceedings during the eleventh year of its establishment, have the satisfaction to be able to state that this expectation has been amply verified.

The Bible Societies which have been instituted on this Continent, during the period in question, are equally numerous and important.

Your Committee will first notice, in regular succession, those Societies, the formation of which was materially assisted by the presence, advice, and exertions of their zealous and active conductor, the Rev. Robert Pinkerton, during the course of his return to Russia, beginning with the Netherlands Bible Society, established at Amsterdam under the Presidency of His Excellency Mr. Roel, Minister of the Interior. Among other encouraging circumstances attending its formation, it is gratifying to remark that many Catholics subscribed themselves members of it.

The example of Amsterdam was almost immediately followed by the inhabitants of Rotterdam, at which a Bible Society was instituted on the 5th of July. Of this His Excellency Mr. Van Hoogstraaten, Member of the States General, is President.

The Grand Dutchy of Berg Bible Society is the next in order. It was established at Elberfeld, which, with Barmen, is situated in Wupper Valley, equally famous in Germany for the extent of its manufactures, its diversity of religious denominations, and the pious character of its inhabitants. In the course of the Bible they were all united. The sphere of operation of this society includes a very large population, of which a great proportion are Catholics.

It is affecting to add the information reported by Mr. Pinkerton on good authority, that many thousands of them never saw a Bible; and that among some, even the meaning of the word Bible was totally unknown. Of this Society His Excellency Baron Von Gruener, Governor General of the Grand Dutchy of Berg, was chosen President. It commenced its operations by procuring a number of Bibles for sale at low prices, or for gratuitous distribution. The donations and subscriptions to it have been liberal, and active measures have been adopted for increasing their amount.

A letter from one of the Secretaries of the Society concludes with these words: We thank you for having drawn our district also into the circle of your union; and join our prayers to yours that the Spirit of our Lord Jesus may powerfully carry his word to the hearts of men.

The Hanoverian Bible Society is next to be noticed. In Hanover, as in Petersburg, says Mr. Pinkerton, the Lutheran, Calvinistic, and Catholic Clergy join hands to promote the good cause; and some of these persons assured me, after the meeting, that though they had been teachers of the same religion in this city for many years, yet they had never had an opportunity of speaking to each other. Oh! what a blessed plan, which is capable of bringing together the long divided parts of the Christian church!

When the chief Catholic Priest entered the room he came straight to me, grasped my hand in the most cordial manner, and with a countenance beaming with joy, said, "I rejoice that I have an opportunity of uniting in such a glorious cause. I am decidedly of opinion that the Scriptures should be put into the hands of every class of men, and that even the poorest and the meanest should have it in their power to draw divine instruction from the Fountain Head."

This worthy Clergyman accepted the office of

a Director of the Society with great pleasure, and promised that he would labour to promote its object to the utmost of his power.

The President of this society is His Excellency Baron Von Arnswaldt, Minister of State, Privy Counsellor, and President of the Ecclesiastical Court.

His Royal Highness the Duke of Cambridge has obligingly complied with a solicitation to be its patron.

The zeal of Mr. Pinkerton was no less favourably received at Berlin, where the Russian Bible Society has been established under the Presidency of His Excellency Lieutenant General Von Diereck, Tutor to the Crown Prince of Prussia. The plan of the society having been presented to the Prussian Majesty, he was graciously pleased to approve it, and to confirm its laws; and as a further proof of the interest which his Majesty feels in its success, he has granted to the society the freedom of the Letter Post.

Foreign.

Extract of a letter to a gentleman in Boston dated

HAVRE DE GRACE, JULY 5, 1816.

"SIR—After a delightful soil of 20 days, I at length sat foot on the soil of the old world, where I expected to find every thing a novelty, and many things subjects of interest and curiosity. I cannot say that my expectations have been altogether realized; but my disappointment has tended to increase my pride of country wherever I had occasion to compare the situation of the people who inhabit this portion of the globe, with that of those who live in "the land of the free, and home of the brave."

"The town of Havre by no means can please an eye accustomed to the graceful neatness, and the cheerful aspect of the cities of the United States. Every thing in the town, except the ladies and the children, looks old and sombre; and almost every man of the common people whom you meet, has a face so graciously puckered into wrinkles and frowns, that you would think him suffering under the pangs of the rheumatism. If you go into the churches, in expectation of seeing the young, the fair, or the respectable part of the population of Havre, engaged in worshipping their maker, your eye will be greeted, instead thereof, with a thin congregation of miserable looking old women in rags and wooden shoes, whose faces express any thing else but cheerfulness and contentment.

"Such is the town, but the country is far different: the environs of Havre are beautiful indeed. I can hardly imagine any thing more delightful than a ride among the fields, the vineyards and the orchards and gardens which cover the country as far as the eye can reach. The land is rich, and not a foot of it unimproved. The excursions I indulged myself in to the country, and visiting the fortifications and basins of Havre, which, as they now stand, are principally the work of the ex-emperor, constitute the only enjoyment Havre can afford to an idle stranger, and to me they have afforded much gratification.

"As every American is, by birthright, a politician, so I among others have felt a strong propensity to enjoy the exercise of my national privilege, though in a foreign country, by ascertaining, as well as my limited means enabled me, what are the real sentiments of the French, with regard to their present government. From what I can learn, and from the little I have observed, I believe that more than three fourths of the people would, if uninfluenced and unawed by foreign force, join not only to precipitate Louis 18th from his throne, but to crush him and his whole family under its ruins. Except Bordeaux and Marseilles, no town in France has the reputation of being more loyal to the present order of things, than Havre; and even in Havre on the celebration (by order of the government) of the anniversary of the king's return to Paris, no man cried "God bless him;" no one shouted "Vive le Roi!" But a few ragged wretches, who were said to have been hired by the police. The present situation of France, makes every Frenchman hang his head; they are humbled, and they are enraged. Their curses are not loud, but they are deep. They have been beaten by foreigners; and their king is the cause of it. The consequences are, that the people are sullen, and the government is suspicious; the prisons are full, and executions frequent; conspiracies are continually detected, and plots are continually renewed. Depend upon it, the revolution is not yet over. *Caveat, it will go on;* and when the wheel turns again, woe to those who are now uppermost."

ALMANACS.—The North-Carolina Almanac, calculated by Mr. Brooks, for 1817, is just printed at this office, and will be furnished by the quantity or single one at the usual prices. Oct. 4.

STRAYED, from the Union Tavern, Raleigh, TWO COWS, one red, and white, mark not recollected; but I believe it to be a crop and hole in one ear; she had on a small bell.—The other is a black and white pied Cow, marked with a swallow fork in one ear, and half crop in the other. I will give five dollars for the delivery of said Cows to me in Raleigh, or three dollars to have them secured in some enclosure, so that I get them.

ROBERT PARSLEY.

Raleigh, Oct. 11.

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FRESH CLOVER SEED, Warranted to be good, for sale at the Book-Store of WM. BOYLAN.

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